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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

NOV 7 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b))
Table of Allotments,)
FM Broadcast Stations,)
(Okmulgee, Nowata and Pawhuska,)
Oklahoma))

MM Docket No. 94-100
RM-8509

To: Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

**COMMENTS OF
SINGER BROADCASTING GROUP, INC.**

Singer Broadcasting Group, Inc. ("SBG"), by Counsel, and pursuant to the Notice of Proposed Rule Making ("NPRM"), DA 94-984 (released September 15, 1994) herewith submits its Comments in the above-referenced proceeding.

Background

SBG is the Permittee of Radio Station KRMP-FM (formerly KBXT-FM) at Bixby, Oklahoma. At the time the NPRM was released, SBG was preparing to file an application to upgrade KRMP-FM from Class C3 to Class C2 status. Issuance of the NPRM effectively precludes SBG from applying for an upgrade at this time. Accordingly, SBG has standing to file these Comments inasmuch as the resolution of this proceeding impacts SBG's ability to further modify the facilities of KRMP-FM.

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SBG's Proposal

Attached hereto as Exhibit No. 1 is the Technical Statement of Jefferson G. Brock wherein SBG supports Option No. 2 and Option No. 3 of the NPRM, but opposes the substitution of Channel 286C3 for Channel 232A at Nowata, as proposed in Option No. 1. Since the proposed allotment of Channel 286C3 at Nowata would preclude a Class C2 upgrade for KRMP-FM, SBG submits the attached counterproposal with respect to that portion of the NPRM.

The attached Technical Statement demonstrates that Channel 287C2 can be allocated to Bixby, Oklahoma for use by KRMP-FM in full compliance with applicable FCC rules and regulations. The allocation of Channel 287C2 to Bixby would allow KRMP-FM to provide total service to 731,638 persons within a 8,547.2 square kilometer area, which represents an increase of 194,026 persons and 3,795.7 square kilometers service area over its presently authorized Class C3 facilities. By comparison, an upgrade at Nowata would result in population and areas gain of only 32,632 persons and 2,234.2 square kilometers of service area. Thus, SBG's proposal is clearly superior to that proposed in Option No. 1 since SBG would achieve nearly six times the population gain compared to that proposed for Nowata.

Statement of Interest

SBG hereby expresses its intention to apply for an upgrade on Channel 287C2 for KRMP-FM at Bixby, Oklahoma, if

the resolution of this proceeding permits SBG to file such an application.

Conclusion

WHEREFORE, the above premises considered, SBG proposes that the Commission's Table of FM Allotments, §73.202(b), be amended as follows:

Bixby, Oklahoma

Present

287C3

Proposed

287C2

Okmulgee, Oklahoma

Present

231C2

Proposed

231C1

Nowata, Oklahoma

Present

232A, 268A

Proposed

268A, 285A

Pawhuska, Oklahoma

Present

285A

Proposed

280A or None

Respectfully submitted,

SINGER BROADCASTING GROUP, INC.

By:



Cary S. Tepper, Esq.

Its Attorney

Meyer, Faller, Weisman and Rosenberg, P.C.
4400 Jenifer Street, N.W.
Suite 380
Washington, D.C. 20015

(202) 362-1100

November 7, 1994

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

COMMENTS AND COUNTERPROPOSAL
MM. DECREE #24-100
SINGER BROADCASTING GROUP, INC.
KMP-FM RADIO STATION
ELIZY, OKLAHOMA
November 1994

TECHNICAL EXHIBIT

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COMMENTS AND COUNTERPROPOSAL
MM DOCKET #94-100
SINGER BROADCASTING GROUP, INC.
KRMP-FM RADIO STATION
BIXBY, OKLAHOMA
November 1994

TECHNICAL STATEMENT

1. The Technical Statement and attached exhibits were prepared on behalf of Singer Broadcasting Group, Inc. ("Singer"), permittee of Radio Station KRMP-FM, Channel 287C3, Bixby, Oklahoma.¹ These comments and a counterproposal are being refiled in response to a Notice of Proposed Rulemaking for various stations in Oklahoma.

2. In MM Docket #94-100, Integrated Broadcasting Company and KRIG, Inc., ("IBC") proposed to upgrade KTHK, Channel 231C2, Okmulgee, Oklahoma, from Channel 231C2 to Channel 231C1 and substitution of Channel 285C3 for Channel 232A (or Channel 285A) at Nowata, Oklahoma. The Nowata substitution further necessitates either the deletion of the vacant and unapplied for Channel 285A at Pawhuska, Oklahoma, or the substitution of Channel 280A for Channel 285A at Pawhuska.

3. The Commission outlined three separate options relating to the Nowata and Pawhuska facilities, although each requests the upgrade at Okmulgee. One of the options further requests the

1) The call sign associated with this station was changed from KBXT to KRMP-FM effective October 31, 1994.

potential upgrade for the Nowata Class A to Channel 286C3 rather than a Class A for Class A substitution as proposed in the other two options.

4. Singer herein supports the requested upgrade at Okmulgee as outlined in Option 2 and Option 3 of the Notice. Singer, however, does oppose the Option 1 substitution of Channel 286C3 for Channel 232A at Nowata, Oklahoma. As is outlined below, Singer counterproposes Option 1 to upgrade KRMP-FM from Channel 287C3 to Channel 287C2 at Bixby. Channel 287C2 in Bixby is mutually exclusive with the proposed allotment of Channel 286C3 at Nowata, Oklahoma.

REQUESTS

5. Channel 287C2 can be allocated to Bixby, Oklahoma, at reference coordinates North Latitude 35° 55' 15" and West Longitude 95° 52' 25". This represents a site restriction of 2.4 kilometers southeast of the community in order to avoid shortspacing KGFY, Channel 288A, Stillwater, Oklahoma, and KOCD, Channel 287C3, Columbus, Kansas. From this location, a 3.16 mV/m contour can be placed over all of Bixby. Exhibit #1 details the usable area for Channel 287C2 at Bixby. Exhibit #2 is a \$73.207 spacing analysis from the proposed reference site which demonstrates that the channel meets the Commission's minimum distance separation requirements to all other licensed, applied for or proposed facilities (with the exception of the Channel

286C3 proposal at Nowata, Oklahoma). Therefore, Singer proposes that following amendment to the Commission's Table of FM Allotments, §73.202(b):

Bixby, Oklahoma

Present	Proposed
287C3	287C2

Okmulgee, Oklahoma

Present	Proposed
231C2	231C1

Nowata, Oklahoma

Present	Proposed
232A, 268A	268A, 285A

Pawhuska, Oklahoma

Present	Proposed
285A	280A or None ²

PUBLIC INTERESTS

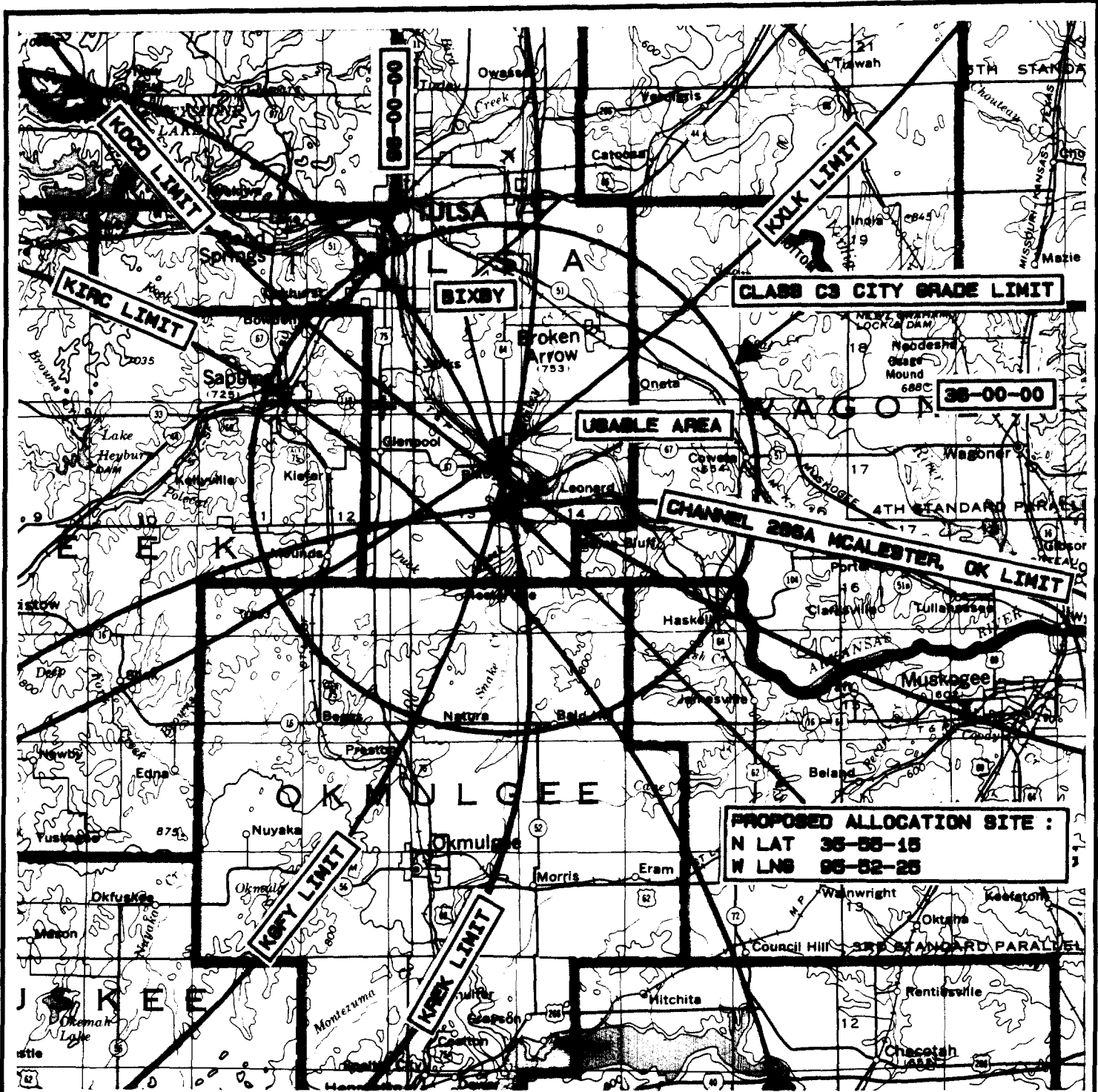
6. The allocation of Channel 287C2 to Bixby, Oklahoma, would allow KRMP-FM to provide service to 731,638 persons in 8,547.2 square kilometers. This represents an increase of

2) The potential allocation of Channel 280A or the deletion of Channel 285A at Pawhuska, Oklahoma, as indicated above, should not be construed as meaning Singer has any interest in filing an application for any channel in Pawhuska. Further, Singer expresses no interest in retaining service in this community.

194,026 persons (and an increase in area of 3,795.7 sq km) over its authorized C3 construction permit.³ The allocation of Channel 287C2 will not impede the upgrade of KTHK, Okmulgee, Oklahoma, to Channel 231C1. Therefore, Singer requests the Commission allocate Channel 287C2 in substitution for Channel 287C3 at Bixby and modify the KRMP-FM construction permit to specify operation on Channel 287C2 in lieu of Channel 287C3. Further, Singer requests the Commission adopt the other changes outlined in Option 2 or Option 3 of MM Docket #94-100 and deny the proposed Channel 286C3 request at Nowata.⁴

- 3) By comparison an upgrade at Nowata, Oklahoma, to Channel 286C3 would provide service to 89,290 persons in 4,743.5 sq km, an increase of only 32,632 persons (2,234.2 sq km) over the authorized Class A facility at Nowata. The Singer proposal for Bixby has nearly six times the population gain compared to the proposed upgrade at Nowata at outlined in Option 1.
- 4) During the preparation of these comments and counter proposal, Singer determined that Channel 285C3 could be utilized at Nowata at a site restricted 17.8 kilometers northeast of the community while providing the requisite city grade coverage over the community. It is feasible for Channel 285C3 to be allotted to Nowata and not impact the authorized facilities of KRIG. Thus necessitating the Commission to solicit other expressions of interest in the channel. This would be detrimental to other proposals contained in the Notice and the Singer counterproposal.

7. The foregoing Technical Statement and exhibits were prepared on behalf of Singer Broadcasting Group, Inc., by Graham Brock, Inc., its Technical Consultants. All information contained herein is true and accurate to the best of our belief and knowledge. All data relating to FM allocations was extracted from the NTIA database as updated September 30, 1994. We assume no liability for errors or omissions in that database which may be adverse to the requests contained herein.



USABLE AREA CHANNEL 287C2

MAP IS A PORTION OF THE 1: 500, 000 SCALE U.S.G.S. BASE MAP OF OKLAHOMA.

MAP DOES NOT CONSIDER THE PROPOSED ALLOCATION OF CHANNEL 286C3 AT NOWATA, OKLAHOMA.

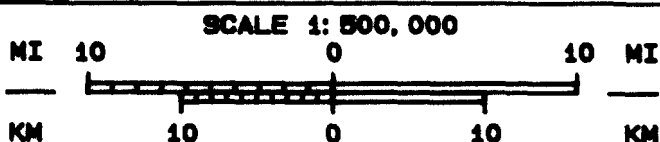


EXHIBIT #1

COMMENTS & COUNTERPROPOSAL
SINGER BCG GROUP, INC.

MM DOCKET #94-100
KRMP-FM RADIO STATION

BIXBY, OKLAHOMA

November 1994

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

**ALLOCATION STUDY FOR CHANNEL 287C2 BIXBY, OKLAHOMA
USING PROPOSED ALLOCATION SITE AS REFERENCE**

REFERENCE	CLASS C2	DISPLAY DATES
35 55 15 N	Current rules spacings	DATA 09-30-94
95 52 25 W	CHANNEL 287 -105.3 MHz	SEARCH 11-04-94

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
KRMPFM	287C3	Bixby	OK	124.5	11.63	177.0	-165.37
CPM CN	35 51 41	95 46 03	3.400 kW	268M	7.2	110.0	
	Singer Broadcasting Group, Inc.				BMFH-930819IZ	940828	
* AD286	286C3	Nowata	OK	6.5	94.86	117.0	-22.14
AD	36 46 13	95 45 17	0.000 kW	0M	59.0	72.7	
	Integrated Broadcasting Co.				RM8509	940805	
>PRM-Site Restricted 13.6 km NW-Option I							
KREK	285A	Bristow	OK	254.3	55.01	55.0	0.01
LI CN	35 47 11	96 27 35	2.650 kW	107M	34.2	34.2	
	Big Chief Broadcasting Company				BLH-890530KC		
ALOPEN	286A	Mcalester	OK	175.0	106.01	106.0	0.01
AL N	34 58 08	95 46 21	0.000 kW	0M	65.9	65.9	
	92-280						
>Site Restricted-Effective 7-12-93-Reserved for KTMCFM Per D92-280							
KGFY	288A	Stillwater	OK	285.4	106.58	106.0	0.58
LI CN	36 10 31	97 00 51	2.400 kW	110M	66.2	65.9	
	Stillwater Radio Group				BLH-891019KB		
KOCD	287C3	Columbus	KS	34.4	178.29	177.0	1.29
LI ZCN	37 14 47	94 44 52	6.100 kW	94M	110.8	110.0	
	Saturn Communications, Inc.				BLH-930201KC		
KXLK	287C	Haysville	KS	324.7	252.53	249.0	3.53
LI CN	37 46 40	97 30 37	100.000 kW	301M	156.9	154.8	
	Midcontinent Broadcasting Co.				BLH-850823KA		
KIRC	288A	Seminole	OK	225.1	110.97	106.0	4.97
LI CN	35 12 53	96 44 26	4.600 kW	112M	69.0	65.9	
	One Ten Broadcast Group, Inc.				BLH-920820KA		

ALLOCATION STUDY CHANNEL 287C2

*** NOTE : THIS PROPOSAL IS MUTUALLY
EXCLUSIVE WITH THE PROPOSED
ALLOCATION OF CHANNEL 286C3
AT NOWATA, OKLAHOMA.**

EXHIBIT #2

**COMMENTS & COUNTERPROPOSAL
SINGER BCG GROUP, INC.
MM DOCKET #94-100
KRMP-FM RADIO STATION
BIXBY, OKLAHOMA
November 1994**

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

AFFIDAVIT AND QUALIFICATIONS OF CONSULTANT

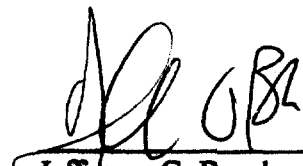
State of Georgia)
St. Simons Island) ss:
County of Glynn)

JEFFERSON G. BROCK, being duly sworn, deposes and says that he is an officer of Graham Brock, Inc. Graham Brock has been engaged by Singer Broadcasting Group, Inc., permittee of Radio Station KRMP-FM, to prepare the attached Technical Exhibit.

His qualifications are a matter of record before the Federal Communications Commission. He has been active in Broadcast Engineering since 1979.

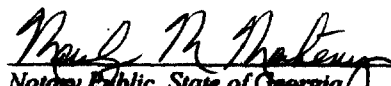
The attached report was either prepared by him or under his direction and all material and exhibits attached hereto are believed to be true and correct.

This the 3rd day of November, 1994



Jefferson G. Brock
Affiant

Sworn to and subscribed before me
this the 3rd day of November, 1994



Notary Public, State of Georgia
My Commission Expires: September 8, 1995

CERTIFICATE OF SERVICE

I, Cary S. Tepper, Esquire, hereby certify that on this 7th day of November, 1994, I have served a copy of the foregoing "Comments of Singer Broadcasting Group, Inc." first-class, postage-prepaid, on the following:

*John A. Karousos
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*denotes Delivery By Hand